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State of New Mexico  
Taxation & Revenue Department  
MOTOR VEHICLE DIVISION

# NOTICE OF REVOCATION

Este documento es muy importante. Si no entiende  
ni lee inglés, por favor, haga que se lo traduzcan.



STATE OF NEW MEXICO

COUNTY OF: DO ALARCACITY OF: ESANOLA

COUNTY

CODE: 17007

DVI CITATION

MVD-10811

REV. 04/05

DRIVER INFORMATION	NAME (LAST)	TITULO		STATE	ZIP CODE
	NAME (FIRST)	JOHN			
	ADDRESS	PO BOX 401			
	CITY	DO ALARCA			
	STATE	NM			
	DATE OF BIRTH	AGE	SEX	HEIGHT	WT
	08/14/88	28	M	5'11"	170
	SOCIAL SECURITY NUMBER		D-1111		

## I. NOTICE OF REVOCATION: YOUR DRIVING PRIVILEGES WILL BE REVOKED IN TWENTY (20) DAYS.

**Request for Hearing:** You may request a hearing on this revocation. The request must be made in writing within ten (10) days from date of service of this notice. If you do not request a hearing, your driver license and/or driving privilege is hereby revoked, pursuant to the Implied Consent Act (Section 66-8-111 NMSA 1978), effective twenty (20) days from receipt of this notice.

Revocation Duration Information and Hearing Request Instructions are explained on the back side of this form.

## II. TEMPORARY DRIVER LICENSE: If you are validly licensed in New Mexico, this document will serve as your temporary license for 20 days. If you request a hearing, this period will be extended until otherwise ordered by the hearing officer. If you are licensed in another state this notice does not affect your license itself, but only your privilege to drive in New Mexico.

## III. LAW ENFORCEMENT OFFICER'S STATEMENT

I hereby swear or affirm that on the 22 day of August, 20 13, I arrested the above-named person based on my reasonable grounds to believe that he/she had been driving a motor vehicle ☐ commercial motor vehicle while under the influence of intoxicating liquor or drugs in the County of DO ALARCA, New Mexico. Details of said grounds are specified below.

REASON FOR STOP: Security Check Point

BASIS FOR CONCLUSION THAT PERSON WAS DRIVING:

☐ SAW PERSON DRIVING

☐ PERSON ADMITTED DRIVING

☒ OTHER: Person on foot with gun

BASIS FOR CONCLUSION THAT PERSON WAS UNDER INFLUENCE:

☒ ODOR OF ALCOHOL

☒ BLOODSHOT, WATERY EYES

☐ SLURRED SPEECH

☒ DRIVER'S ADMISION

☐ PERFORMANCE ON FIELD SOBRIETY TESTS, (OPTIONAL) DESCRIBE FIELD TESTS: Heav. walk & turn - Couldn't complete

☒ OTHER INFORMATION: Testing stopped for safety of driver

☐ REFUSED TEST - The above-named person was asked to submit to a chemical test to determine his/her blood or breath alcohol content and, after being advised that failure to submit to a chemical test could result in the revocation of his/her driver's license and/or driving privileges in New Mexico, refused to submit to such a chemical test. ☐ ACTIONS ☐ WORDS: (OPTIONAL)

☐ SUBMITTED TO TEST - All references to alcohol concentration are as defined in Section 66-8-110(E), NMSA 1978.

☐ BREATH TEST - The above-named person submitted to a breath test and the test result indicated an alcohol concentration of eight one-hundredths or more in the person's breath if the driver is 21 years of age or older or an alcohol concentration of two one-hundredths or more if the person is less than 21 years of age or an alcohol concentration of four one-hundredths or more and the person was driving a commercial motor vehicle. The actual test result was \_\_\_\_\_

☒ BLOOD TEST - The above-named person submitted to a blood test and the test result was received from the laboratory on (date) 8/22/13. The test result indicated the person had an alcohol concentration of eight one-hundredths or more in the person's blood if the driver is 21 years of age or older or an alcohol concentration of two one-hundredths or more if the person is less than 21 years of age or an alcohol concentration of four one-hundredths or more and the person was driving a commercial motor vehicle. The actual test result was Denial

SERVICE - I personally served a copy of this document on the person named above on this 22 day of August, 20 13.  
DECLARATION - I hereby declare under the penalty of perjury that the information given in this statement is true and correct to the best of my knowledge

G.1604 E. Alarca  
Printed Arresting Officer's Name & ID Number

DO ALARCA Sheriff  
Officer's Agency and Agency Code

[Signature]  
Arresting Officer's Signature

Name and Agency of every other Officer who should be subpoenaed to any hearing requested, including officer who administered test, if different from arresting officer (Full name, ID No & agency): Lt. Mark ARMSTRONG, Reserve Deputy

I received the Notice of Revocation on 8/22/13

Date

[Signature]  
Driver's Signature

Law enforcement officer check one of these statements if applicable:

☐ Driver unable to sign

☐ Driver refused to sign

EXHIBIT

E

**NOTICE AND DURATION OF REVOCATION**

Under New Mexico law (Section 66-8-111 NMSA 1978), upon receipt of a statement signed under penalty of perjury from a law enforcement officer (the front side of this document), the Secretary of the Taxation and Revenue Department shall revoke your driver license for at least the applicable period listed below:

1. For a period of one (1) year, or until all conditions for license reinstatement are met, whichever is later; if you refused to submit to any chemical test after being advised that failure to submit could result in revocation of your privilege to drive.
2. For a period of six (6) months, or until all conditions for license reinstatement are met, whichever is later; if you are twenty-one years of age or older, took the chemical test, and the results showed a blood-alcohol concentration at or above the per se limit.
3. For a period of six (6) months, or until all conditions for license reinstatement are met, whichever is later; if you were driving a commercial motor vehicle, took a chemical test, and the results showed a blood-alcohol concentration above the legal limit.
4. For a period of one (1) year, or until all conditions for license reinstatement are met, whichever is later; if you are less than twenty-one, took the test, and the results showed a blood-alcohol concentration at or above the per se limit.
5. For a period of one (1) year, or until all conditions for license reinstatement are met, whichever is later; if you took the chemical test, and the results showed a blood-alcohol concentration at or above the per se limit, and you have previously had your license revoked pursuant to the provisions of the Implied Consent Act.

**EFFECTIVE DATE OF REVOCATION**

This revocation shall become effective twenty (20) days from the day this Notice was served on you. See date noted in the SERVICE section on the front side. However, the revocation will not go into effect until after the hearing, if a hearing is held and the hearing officer finds the revocation to be proper.

**REQUEST FOR HEARING**

**NOTE:** The hearing on your license revocation is completely separate from your court hearing on the DWI criminal charge.

New Mexico law (Section 66-8-112 NMSA 1978) provides that IF YOU WISH TO CONTEST THE REVOCATION OF YOUR DRIVER LICENSE described on the front side of this form, the Driver Services Bureau of the Motor Vehicle Division of the New Mexico Taxation and Revenue Department must RECEIVE your WRITTEN request for a hearing within TEN (10) CALENDAR DAYS FROM THE DATE THAT THIS NOTICE WAS SERVED ON YOU. The date this notice was served is stated under SERVICE on the front side. State law does not permit the department to consider an untimely request for a hearing.

**NOTE:** This hearing request must be accompanied by a check or money order payment of \$25.00 (no cash) or Form MVD-10813, Statement of Indigency, (available at any motor vehicle field office or on the internet).

Your WRITTEN request for a hearing may be submitted in person at the Driver Services Bureau of the Motor Vehicle Division in the Montoya Building, 1100 S. St. Francis Drive, Santa Fe, New Mexico or mailed to Driver Service Bureau, Motor Vehicle Division, P.O. Box 1028, Santa Fe, N.M. 87504-1028. A telephone call cannot be accepted as your request for hearing, but if additional information is needed, the number is (505) 827-2241.

To make a request for a hearing, state in writing that you desire a hearing concerning this revocation and either attach a photocopy of the front side of this form and include complete identifying information, including your full name, date of birth, social security number, driver's license number, return address, telephone number, citation number, date of arrest and arresting agency.

The hearing is only for contesting the revocation of your driving privilege based on violation of the Implied Consent Act. The issues at the hearing are the following:

1. Whether the officer had reasonable grounds to believe that you were driving a motor vehicle while under the influence of intoxicating liquor or drugs;
2. Whether you were arrested;
3. Whether the hearing is timely held, and;
4. Whether you refused to submit to a test upon request of the law enforcement officer after being advised that your failure to submit could result in the revocation of your driving privilege.
5. Whether the result of a chemical test you submitted to indicated a blood-alcohol concentration of .08 or greater if you are twenty-one (21) years of age or over, or .02 or greater if you are under twenty-one years of age or .04 or greater if you were driving a commercial motor vehicle.
6. Whether you previously had your driver license revoked pursuant to the provisions of the Implied Consent Act.

**NOTE:** Your driving privilege may be subject to further revocation or disqualification based on a criminal conviction or convictions.